

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Steven Trotman,)	C/A No. 5:11-2091-GRA-KDW
)	
)	
Petitioner,)	
vs.)	
)	
Warden Stevenson,)	REPORT AND RECOMMENDATION
)	OF MAGISTRATE JUDGE
Respondent.)	
)	


Petitioner, proceeding pro se and *in forma pauperis*, brought this action seeking relief pursuant to 28 U.S.C. § 2254. Respondent filed a motion for summary judgment on November 31, 2011. ECF No. 19. As Petitioner is proceeding pro se, the court entered an order on December 1, 2011, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. ECF No. 20. His response initially was due January 6, 2012. *Id.* Petitioner was specifically advised that if he failed to respond adequately, Respondent's motion may be granted, thereby ending this case.

Petitioner filed three motions for extension of time on January 4, 2012, January 31, 2012, and February 29, 2012, requesting additional time to respond to Respondent's Motion for Summary Judgment. ECF Nos. 26, 29, 32. Text Orders were issued on January 5, 2012, February 3, 2012, and March 1, 2012, granting the requested extensions. ECF Nos. 27, 30, 33. In the Text Order issued on March 1, 2012, Petitioner was advised that no further extensions would be granted. ECF No. 33. Notwithstanding the specific warnings and instructions set forth in the court's *Roseboro* order and the extensions of time that were granted to Petitioner, Petitioner did not respond to the motion.

On April 25, 2012, the court ordered Petitioner to advise whether he wished to continue with the case by May 11, 2012. ECF No. 35. Petitioner has filed no response. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, the undersigned recommends this action be dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

May 17, 2012
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following in a similar style.

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
“Notice of Right to File Objections to Report and Recommendation.”**